

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION


RUFUS EDWARD JONES,)	
)	
Plaintiff,)	
)	
v.)	No. 1:19-cv-04746-JPH-TAB
)	
CATHERINE TAYLOR, <i>et al.</i>)	
)	
Defendants.)	

ORDER DISCUSSING REQUEST TO PROCEED ON APPEAL *IN FORMA PAUPERIS*

The plaintiff seeks leave to proceed on appeal without prepayment of the appellate fees of \$505.00. “An appeal may not be taken *in forma pauperis* if the trial court certifies that the appeal is not taken in good faith.” 28 U.S.C. § 1915(a)(3). “Good faith” within the meaning of § 1915 is judged by an objective, not a subjective, standard. *See Thomas v. Zatecky*, 712 F.3d 1004, 1006 (7th Cir. 2013) (stating that bad faith is a phrase that is understood to mean objective frivolousness). At this time, there is no objectively reasonable argument the plaintiff could present to argue that the disposition of this motion was erroneous. In pursuing an appeal, therefore, the plaintiff “is acting in bad faith . . . [because] to sue in bad faith means merely to sue on the basis of a frivolous claim, which is to say a claim that no reasonable person could suppose to have any merit.” *Lee v. Clinton*, 209 F.3d 1025, 1026 (7th Cir. 2000). Accordingly, his appeal is not taken in good faith, and for this reason his request for leave to proceed on appeal *in forma pauperis*, dkt. [18], is **DENIED**.

SO ORDERED.

Date: 3/27/2020


James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

RUFUS EDWARD JONES
778525
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MARION COUNTY JAIL II
Inmate Mail/Parcels
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